



GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

Brad Noller
Treasurer for Jeff Coen
2813 SW Windermere Drive
Topeka, KS 66614

March 29, 2021

Notification of Material Error or Omission
In A Receipts and Expenditures Report

RE: Receipts and Expenditures Report Due October 26, 2020
(Covering the Period July 24, 2020 thru October 22, 2020)

A review of your Receipts and Expenditures Report identified above indicates the material error(s) or omission(s) listed on the other side of this page. Such error(s) and omission(s) must be corrected within thirty (30) days of the date of this notice by filing an amended report.

File the amended report within thirty (30) days with:

Secretary of State
120 SW 10th
Memorial Hall
Topeka, KS 66612

As provided by law, a copy of this notice has been made a part of your record in the Secretary of State's Office. The intentional failure to file an amended report within thirty (30) days is a class A misdemeanor. In addition, you may not accept contributions or make expenditures following the end of the thirty (30) day period if the amended report has not been filed.

Additional information and assistance may be obtained by writing or calling this office. If after having contacted this office substantial issues remain unresolved, you may within ten (10) days of receipt of this notice request a hearing before the Commission.

Sincerely,

A handwritten signature in cursive script that reads "Karina Renna".

Karina Renna
State Campaign Finance Coordinator

1. Schedule A (Contributions and Other Receipts) of the October 26, 2020 Receipts and Expenditures Reports lists four (4) E Fund contributions from WinRed. An amended Schedule A (Contributions and Other Receipts) must be filed with the name and address of the four (4) contributors and the full amount of the contributions which includes the fee. Schedule C (Expenditures and Other Disbursements) must be amended to include the fee charged by WinRed for processing fees.
2. Schedule A (Contributions and Other Receipts) indicates your campaign accepted the following cash contribution over \$100:

<u>Date</u>	<u>Name</u>	<u>Amount</u>
7-29-20	John Welchans	\$200

K.S.A. 25-4153(i) states, "No person shall make any contribution or contributions to any candidate or the candidate committee of any candidate in the form of money or currency of the United States which in the aggregate exceeds \$100 for any one primary or general election, and no candidate or candidate committee of any candidate shall accept any contribution or contributions in the form of money or currency of the United States which in the aggregate exceeds \$100 from any one person for any one primary or general election."

The cash contribution listed above should not have been accepted by the campaign. In the future, you must be certain that all contributions in excess of \$100 are made by check, cashier's check, money order or e-funds.

3. Schedule C (Expenditures and Other Disbursements) of the October 26, 2020 report shows expenses in the amount of \$158.51 for fuel costs. Pursuant to Advisory Opinion 2007-14, the candidate can only be reimbursed for mileage at the state mileage reimbursement rate, not for fuel. The Commission opined "due to the difficulty in determining the allocation of vehicle expenses between a candidate's personal use of a vehicle and the candidate's use of a vehicle for holding political office or for campaign purposes, the Commission now determines that beginning January 1, 2008, the use of campaign funds to pay for otherwise un-reimbursed vehicle expenses will be limited to the state mileage reimbursement rate." When claiming reimbursement for mileage from campaign funds, the treasurer needs to keep detailed records for mileage expenditures showing the dates of travel, the necessity for and specific purpose of the travel, and the actual mileage traveled. It will be necessary for the candidate to reimburse the campaign account for the fuel purchased. This reimbursement will need to be disclosed on Schedule A (Contributions and Other Receipts) of the January 10, 2022 Receipts and Expenditures Report. The candidate can be reimbursed for the miles driven at the state rate of 57.5 per mile for calendar year 2020. If done, this expenditure would be disclosed on Schedule C (Expenditures and Other Disbursements) of the January 10, 2022 report.

If you have any questions, please contact this office.